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Docket No. 10847-002001

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AUG 23 2001

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Daniel P. Collins

Art Unit : 1645

Serial No. : 09/365,065

Examiner : R. Zeman

Filed : July 30, 1999

TECH CENTER 1600/2900

Title : METHODS FOR SIMULTANEOUSLY DETECTING BOTH MEMBERS OF A
BINDING PAIR

Commissioner for Patents
Washington, D.C. 20231

RESPONSE

In response to the action mailed June 14, 2001, please consider the following remarks:

REMARKS

Claims 1-21 stand rejected. Applicant respectfully requests reconsideration and allowance in view of the following remarks.

Applicant acknowledges the withdrawal of the rejection under 35 U.S.C. §103 over Kortright et al. (U.S. Patent 4,870,003) in view of Jackson et al. (U.S. Patent 5,776,709).

Claim Objection

The Examiner objected to claim 21 under 37 C.F.R. §1.75(c) as an improper dependent claim. The Examiner asserted that the limitation of 'a label or package insert' does not carry patentable weight. Applicant respectfully traverses.

Claim 20 relates to a kit for simultaneously measuring both members A and B in a binding pair complex in a biological sample. The kit includes a solid phase reagent, first antibodies having specific binding affinities for member A of the binding pair complex, and second antibodies having specific binding affinities for member B of the binding pair complex. Dependent claim 20 recites that the kit further includes a label or package insert, wherein the label or package insert indicates the solid phase reagent and the first and second antibodies can

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

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